

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

FILED  
CHARLOTTE, NC

FEB 9 2011

U.S. DISTRICT COURT  
WESTERN DISTRICT OF NC

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

PMC STRATEGY, LLC, MICHAEL  
HUDSPETH, and TIMOTHY BAILEY,  
Defendants.

CASE NO.

3:11cv73

**(PROPOSED) EX PARTE ORDER**  
**TEMPORARILY SEALING ENTIRE FILE**

Plaintiff, U.S. Commodity Futures Trading Commission ("Commission"), has filed a complaint for permanent injunction and other relief, and moved *ex parte*, pursuant to Section 6c of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. § 13a-1 (2006), for a statutory restraining Order prohibiting Defendants from destroying any business records and providing that representatives of the Commission shall have complete access to inspect and to copy Defendants' records, wherever situated. Plaintiff has further moved *ex parte* to Temporarily Seal the Entire Docket and File in this matter. The Court has considered the memorandum filed in support of the Commission's motion. For good cause shown:

**IT IS HEREBY ORDERED** that Plaintiff's *ex parte* motion to temporarily seal the entire file is **GRANTED** and that such file be temporarily sealed. The seal will expire upon the earlier of: (1) seventy-two hours following issuance of the requested *ex parte* statutory

restraining order; or (2) when counsel for the Commission informs the clerk of court that the seal is no longer necessary.

**IT IS SO ORDERED**, at Charlotte, North Carolina, on the 9<sup>th</sup> day of February, 2011,  
at 10:30.m.

  
UNITED STATES DISTRICT JUDGE